

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOHN DOE : NO.: 23-CV-03202 (CM)
: :
v. : :
: :
CITY OF NEW YORK, ET AL. :
-----X

October 3, 2023

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/4/2023

MEMO ENDORSED

Your Honor:

Plaintiff respectfully requests an adjournment of the October 5, 2023 conference and an extension of time to serve certain defendants.

The plaintiff is currently residing in Brooklyn, NY with his family.

At this time, upon information and belief, the City of New York, Dora Schriro, and Commissioner Louis Molina have been served.

Service on Noel Merced, Kevin Dimio, P.O. Diomede, John Jackson, Suzzane Taha, Michael Manning, Stephen Cavandish, Sgt. Kitchen, Radames Tirado is still outstanding.

I contacted the City intake-part and was told that the matter will be assigned and that this office will be advised whether the City will accept service for the remaining named defendants.

In light of the above, it is respectfully requested that the October 5, 2023 conference be adjourned to November 21, 2023.

One prior application for an extension was made on September 12, 2023 docket entry 7.

10/4/2023 - The October 5 conference is adjourned until 10/16/2023 at 10:00 AM.
I have still not decided the "John Doe" motion. I am rarely inclined to grant such motions. The papers filed in support of the motion are not convincing, especially as the plaintiff is not at Rikers and so is in no danger from anyone there. The defendants will have to know who the plaintiff is in order to defend the case. I will expect a response to that motion from the City by November 1, and reply papers by November 9. *Am*

Respectfully Submitted,

PLAINTIFF JOHN DOE

By /s/ Gary N. Rawlins

Gary N. Rawlins

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CERTIFICATION

This is to certify that on October 3, 2023, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties listed by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.